

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

**V.**

NIKOLAY KRECHET,  
Defendant,

SHMUEL YOFFE,  
Surety.

Crim. No. 17-221

ORDER

This matter having come before the Court on the application of Craig Carpenito, United States Attorney for the District of New Jersey (by David W. Feder and Joshua L. Haber, Assistant U.S. Attorneys, appearing), with notice to Thomas Ambrosio, Esq. (attorney for defendant Nikolay Krechet) and to surety Shmuel Yoffe, on a Notice of Motion for Bond Forfeiture Judgment as to the unsecured money obligation posted as bail in this matter; and for good cause shown;

IT IS THE FINDING OF THIS COURT that the United States' motion should be granted for the following reasons:

1. On or about August 9, 2017, bail was set in the above-entitled action for defendant Nikolay Krechet (“defendant Krechet” or “the defendant”) at \$250,000 by the Honorable James B. Clark, III, in the District of New Jersey;
2. On or about August 9, 2017, in the District of New Jersey, defendant Krechet and surety Shmuel Yoffe (“Surety Yoffe”) obligated

themselves in the amount of \$250,000, unsecured. The conditions of the bond provided that the defendant was “to appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant’s appearance in this case;”

3. If the defendant failed to perform these conditions, payment of the bond would be due forthwith;

4. On May 4, 2018, in the District of New Jersey, defendant Krechet was convicted by a jury of one count of conspiring to transact in stolen property, contrary to 18 U.S.C. § 2315, in violation of 18 U.S.C. § 371, and two counts of transacting in stolen property, in violation of 18 U.S.C. § 2315. Crim. No. 17-221;

5. On October 31, 2018, this Court ordered that defendant Krechet’s sentencing hearing would take place on December 12, 2018 at 10:30 a.m.;

6. On December 11, 2018, defendant Krechet sent an email to several individuals — including members of this Court’s chambers, the U.S. Attorney’s Office, and the U.S. Probation Office — stating that he had fled the United States. The subject line of the email addressed to the U.S. Attorney’s Office and the U.S. Probation Office was, “Nikolay Krechet left USA.” The body of those emails stated:

Dear Sir!

Facing possible long-term imprisonment for the crime I did not commit I decided I owe to my family to postpone my fight for justice until the time when I feel my kids financial future is secure.

With Respect,

Nikolay Krechet

7. Defendant Krechet did not appear at the sentencing hearing that was scheduled for 10:30 a.m. on December 12, 2018. The United States has represented by the Affidavit of David W. Feder, AUSA, that evidence obtained by the United States indicates that the defendant departed the United States; and

8. On December 12, 2018, defendant Krechet breached the conditions of his release and on or about December 12, 2018, the Hon. Leda Dunn Wettre issued a warrant for his arrest. The warrant remains outstanding. WHEREFORE, IT IS on this 18 of December, 2018

ORDERED that pursuant to Crim. R. 46(f) and Title 18, United States Code, Section 3146(d), the United States shall have and recover from defendant Krechet and Surety Yoffe, jointly and severally, judgment in the amount of \$250,000, with interest thereon at the legal rate as provided by law.



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HON. WILLIAM H. WALLS  
United States District Judge